Appln. No. 10/003,789
Amendment dated July 23, 2004
Reply to Office action of Apr. 23, 2004
Docket No. BOC9-2001-0037 (280)

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of April 23, 2004 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due.

In paragraph 2 of the Office Action, the Examiner has rejected claims 1, 2, and 6-16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,535,730 to Chow, et al. (Chow) in view of U.S. Patent No. 6,424,945 to Sorsa (Sorsa). In paragraph 3, the Examiner has rejected claims 3-5 under 35 U.S.C. § 103(a) as being unpatentable over Chow in view of Sorsa and in further view of U.S. Patent No. 6,560,576 to Cohen, et al. (Cohen).

Applicants have attempted to fully respond to the Office Action even though many stated rejections are highly confusing. Applicants have made assumptions concerning the Examiner's intentions in responding when possible. Applicants do, however, request clarification on the Examiner's intent concerning rejections on claims 4-13.

Specifically, in paragraph 2 stated grounds for rejecting claims 6-8 are confusing. The Examiner has rejected claims 6-8 for the same reasons as claims 1, 3, and 4, even though claims 3 and 4 are not rejected based on the same references cited for claims 6-8. Regarding rejections of claims 9-11, the Examiner rejected 9-11 for the same reasons as claims 1-3, even though claim 3 has been rejected based on different art than claims 9-11. Regarding claims 12-13, the Examiner rejected claims 12-13 for the same reasons as claims 1 and 2, even though claims 12-13 have different claimed limitations than claims 1 and 2. Regarding claims 4-5, the Examiner rejected claims 4-5 on the same grounds as 12-13. Consequently, no understandable grounds for rejection for claims 4-5 and/or 12-13 have been provided to the Applicants.

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Prior to addressing the rejections on the art, a brief review of the Applicants' invention is in order. The Applicants' claimed and disclosed subject matter teaches a system, a method, and an apparatus for conferencing additional callers into a voice browsing session which has been established between an initial caller and a voice browser. In particular, an additional caller can be added to an existing voice browsing session by initiating an outbound call from within the voice browsing session to the additional caller whose addition is desired. In this way, participants in a __voice browsing session__ can conference additional callers at will using __application level__ components __without requiring expensive hardware add-ons__.

Turning to the rejections on the art, the Examiner has rejected claims 1, 2, and 6-16 under 35 U.S.C. § 103(a) as being unpatentable over Chow in view of Sorsa. Chow teaches a method and system for using mobile telephony phones in conjunction with a wireless centrix service. Chow includes a conference call feature within the centrix. More specifically, according to Chow,

> The WCS __(Wireless Centrix System)__ service provides conference call functionality for a wireless communications unit (mobile station MS) so that a user can connect additional parties to an active call with a party within or outside the WCS. __Column 8, line 67 to column 9, line 4 of Chow.__

The WCS can be a private branch exchange (PBX) as noted at column 28, lines 16-21.

Accordingly, Chow teaches a PBX can include teleconferencing capabilities. That is, Chow teaches a teleconferencing switch that requires expensive hardware (the conference bridge). Operations responsible for adding callers to a conference call occur at the switch-level.

Applicants note that Chow teaches conferencing callers using traditional, switch-based techniques that __require switch-level hardware support__. Chow is __silent__ as to adding

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conferencing capabilities using **application level** components (as noted by the examiner in paragraph 2) and instead relies upon conventional conferencing methodologies. Moreover, Chow is **silent** with respect to **voice browsers** (as noted by the Examiner in paragraph 2). For these reasons, Chow has no bearing on the Applicants' invention other than to emphasize how the Applicants' invention is different from the prior art of teleconferencing.

Turning to Sorsa, Sorsa discloses a method where users can interact with an automated system (IVR) via a voice channel. A voice browser 120 can speech-to-text convert user speech (voice input in FIG. 2) to text input (valid input conveyed over network 108 as data) to the IVR Server 106. The IVR server 106 can text-to-speech convert results using the speech synthesizer 208 into voice output (shown in FIG. 2). The voice output can be conveyed to the user 102. Consequently, **Sorsa** teaches a **conventional means** to use a voice browser to enable a **user to interact with an automated system** via voice input/output.

Sorsa is **silent** as to conference calling. Sorsa **fails** to teach or suggest using a voice browser within a **human-to-human** interaction in any manner. Applicants note that voice browsers are conventionally used as an aid to human-to-automated system interactions, but not conventionally used as an aid to human-to-human communications. Further, Sorsa is silent as to integrating a client side voice browser with a telecommunication switch.

Referring to claim 1, Applicants have disclosed a technology for extending the capabilities of a voice browser to include teleconferencing capabilities. Applicants are not trying to generally claim teleconferencing or voice browsing but, instead, Applicants have specifically claimed:

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A method of call conferencing using a voice browser comprising:

establishing a voice browsing session between a calling party and the <u>voice browser</u>; and

<u>conferencing</u> within an <u>application level component</u> an additional party into said voice browsing session, said conference providing a <u>voice communications link</u> between said <u>calling party and said additional party</u>.

The Examiner has cited Chow for teaching a conventional (for purposes of Applicants' claimed invention) switch-based conferencing system and Sorsa for teaching a conventional (for purposes of Applicants' claimed invention) voice browser. Neither Chow, Sorsa, nor any combination thereof suggest, mention, or contemplate <u>conferencing</u> within an <u>application level component</u>. Moreover, neither Chow, Sorsa, nor any combination thereof suggest, mention, or contemplate using a voice browser within human-to-human communications, such as the claimed <u>voice communications link</u> between said <u>calling party and said additional party.</u>

Regarding claim 2 and 7, as stated above, neither Chow, Sorsa, nor any combination thereof suggest, mention, or contemplate conferencing 2 humans using a voice browser, let alone 3 or more as claimed.

Regarding claim 6, claim 6 teaches using a voice browser to aid in human-to-human conversations, which is not taught or suggested by any combination of Chow and/or Sorsa. The only voice browser shown in either Chow or Sorsa (contained in Sorsa) is specifically tailored to convey <u>data</u> (not voice) from a <u>user to an IVR</u>. The voice browser of Sorsa <u>never</u> routes <u>audio steams</u> in any fashion. Nor does Sorsa route streams <u>of any type</u> between <u>human</u> callers.

As stated in the previous office action (first paragraph of page 6), "the Applicants have disclosed a novel method of aggregating voice data streams using a voice data stream manager,

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where the voice data stream manager is a software component associated with the voice browser of a telephony session participant." A system including this **novel voice stream data manager** is claimed in claim 6. The voice stream manner and/or the method of aggregating voice streams disclosed and claimed by the applicants is not taught or suggested by any combination of Chow and/or Sorsa.

Regarding claim 8, as stated above and as admitted by the Examiner, neither Chow nor Sorsa teach a discriminator. Use of a discriminator to distinguish the source of a voice data stream is not obvious, as often aggregated voice streams fail to maintain component information pertaining to the original streams. Also, many mechanisms can be used to attempt to distinguish among callers speaking within an aggregated voice stream, such as performing an analysis of voice characteristics, like pitch, pace, prosody, and other audio characteristics. Further, one of ordinary skill in the art would not generally use indicators in combination with a voice browsers. Consequently, contrary to the Examiner's assertion, use of a discriminator is not **obvious** or **necessary**.

Regarding claims 9 and 10, which are similar to claims 1 and 2, the rejection should be withdrawn for the previously presented reasons.

Regarding claims 14-16, Sorsa does not teach or suggest conferencing, as previously admitted by the Examiner. Accordingly, Sorsa fails to teach or suggest a conferencing step that occurs within a VoiceXML programming environment.

Turning to other rejections on the art, claims 3-5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Chow in view of Sorsa and in further view Cohen. Cohen

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discloses a voice browser for providing user-specific help. Cohen is __silent__ with respect to __teleconferencing__. Cohen __fails__ to teach or suggest using a voice browser within a __human-to-human__ interaction in any manner. Consequently, Cohen fails to cure the deficiencies of Chow and/or Sorsa with respect to the Applicants independent claims.

Regarding claim 3, Cohen fails to have a conferencing component. Cohen does not, therefore teach providing an identifier for a caller in a conference specifically designed to aid the conferencing component with routing aggregated input (where aggregated input is not taught by Cohen).

Further, Chow fails to teach a conferencing component that functions at an application level and instead teaches switch level conferencing. The combination proposed by the Examiner would require the inclusion of a missing conference call component (into an application presumably inherent in Cohen), the inclusion of an identifier (not mentioned or suggested by Chow, Sorsa, or Cohen), to aid conferencing via a client application (not taught or suggested by Chow, Sorsa, or Cohen) that in fact contradicts switch level conferencing taught by Cohen.

It should also be noted that no motivation exists to combine references in the manner suggested by the Examiner. Chow and Sorsa are not art in an analogous field and are not properly combinable in the manner suggested by the Examiner. Further, Chow and Cohen are not art in an analogous filed and are not properly combinable in the suggested manner.

Specifically, Chow teaches a system and method relating to a local telephony switch, such as a PBX. Sorsa teaches a communication method focused upon a voice browser operating within a user's computing machine (mobile terminal 104) to convey data to a remotely located

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IVR. Cohen teaches a help method that applies to a voice-enabled application operating within a user's computing machine. Teachings for client side voice browsers are unrelated to teachings for telephony switches. Additionally, Sorsa and Cohen are unrelated applications that are silent as to conferencing that include a voice browser. As neither Chow, Sorsa, nor Cohen provide teachings and/or motivation to bridge this gap, it is improper to combine Cohen and Chow for purposes of the Applicants' claimed invention under § 103(a). It is further improper to combine Cohen and Chow in light of Sorsa.

To illustrate just one problem with combining the Chow and Sorsa, the IVR server 106 (of Sorsa) and the mobile terminal 104 (of Sorsa) are specifically modified in a non-conventional manner and symbiotic manner in order for the system of FIG. 2 to function (a typical IVR receives user voice input not the shown data feed, and a typical mobile communication device does not speech-to-text convert voice input). The wireless PBX of Chow is specifically modified in a non-conventional way to accept wireless communications using standard (non-modified) cellular phones. Combining the references, would require significant, non-complimentary hardware modifications of a telecommunication infrastructure – namely a specifically tailored receiver (not modified in Chow for Sorsa to function), an modified IVR (not shown in Chow for Sorsa to function), and a PBX (not shown in Sorsa for Chow to function).

In light of the reasons presented above, Applications respectfully request withdrawal of the 35 U.S.C. § 103(a) rejections of claims 1-16. Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this

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Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of

the subject application to completion.

Respectfully submitted,

Date: 23 July 2004
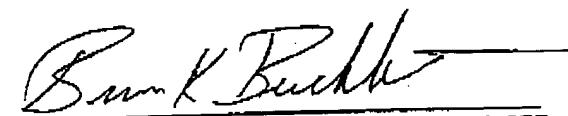
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